FOR MYSORE STATE

0,006—27-10-52.

EDUCATION AND PUBLIC HEALTH. (1947) Department.

SERIES.

G.O. No. 2550 47

Dated 15.7.49

[Despatch Abstract.]

Sub:- EDUCATION AND PUBLIC HEALTH - Establishment - Public Health - Establishment - Health (Local authorities) Regulations, 1940 - Amended.

GOVERNMENT OF MADRAS.
ABSTRACT.

ESTABLISHMENT - Public Health - Public Health Establishment (Local Authorities) Regulations, 1940 - Amended.

EDUCATION AND PUBLIC HEALTH DEPARTMENT.

G.O: Ms. No. 2550 dated 15th July 1949.
Read the following:-

From the ~~Inspector~~ Director of Public Health R.No. 21733-E(1)/49 dated 13.5.1949.
From the Inspector of Municipal Councils and Local Boards L.D. 26403/49 dated 11.6.49.

. . .

ORDER:

The appended notification will be published i the Fort St. George Gazette.

(By order of H.E. the Governor)

(SD) T.M.S. MANI,
Joint Secretary to Government.

To the Director of Public Health.
To the Special Officers of District Board.
To the Executive authorities of Municipalities through the Chairman.
To the Inspector of Municipal Councils and Local Boards.
To the Examiner of Local Fund Accounts.
To the Superintendent, Government Press (for publication of notification in the Fort St. George Gazette.)

/True copy/

APPENDIX

NOTIFICATION.

In exercise of the powers conferred by section 8(2) of the Madras Public Health Act, 1939 (Madras Act III of 1939,) His Excellency the Governor of Madras, hereby makes the following amendments to the public Health Establishment (Local Authorities) Regulations, 1940, published with Public Health Department Notification No. 25, dated the 17th December 1940, at pages 19 to 24 of Part I-A of the Fort St. George Gazette, dated the 7th January 1941, as subsequently amended:-

AMENDMENTS.

In the said regulations

I. In regulation 34 -

(i) in clause (2) the following sentence shall be added at the end, namely:-

"An appeal shall lie to the Government against an order passed under this clause by an officer empowered by the Government, if the order imposes a punishment where-the appointing authority had not imposed a punishment or if the order enhances the punishment imposed by the appointing authority";

(ii) for clause (3), the following clause shall be substituted, namely:-

"(3) All orders passed under clauses (1) and (2) and all orders passed under clause (3) or regulation 38-B shall be given effect to forthwith by the appointing authority

concerned";

II. for regulations 37 and 38, the following regulations shall be substituted, namely:

"37. Every appeal preferred under these regulations shall contain all material statements and arguments relied on by the appellant, shall not contain any disrespectful or improper language and shall be complete in itself. Every such appeal shall be su addressed to the authority to whom it is preferred and shall be submitted through the head of the office to which the appellant belongs or belonged and through the authority from whose order the appeal is preferred. A copy of the appeal may, however, be sent direct to the appellate authority.

38. An appeal may be withheld by an authority not lower in rank than the authority from whose order it is preferred if -

(1) it is an appeal in a case in which under these regulations, no appeal lies; or

(2)it does not comply with the provisions of regulation 37; or

(3) it is not preferred within the time limit prescribed in regulation 36 and no reasonable cause is shown for the delay; or

(4) it is a repetition of a previous appeal and is made to the same appellate authority, by which such appeal has been decided, and no new facts or circumstances are adduced which afford grounds for a reconsideration of the case; or

(5) it is addressed to an authority to which an appeal is withheld, the appellant shall be informed of the fact, and the reasons for it:

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Provided further that an appeal withheld under clause (2) or clause (5) may be resubmitted at any time within one month of the date on which the appellant has been informed of the whithholding of the appeal; and if resubmitted to the appropriate appellate authority in a form which complies with the provisions of rgegulations 37, it shall not be withheld.

38-A. No appeal shall lie against the withholding of an appeal by a competent authority.

38-B. (1) Every appeal ~~shall lie against the~~ which is not withheld under these regulations shall be forwarded to the appellate authority by the authority from whose order the appeal is preferred with an expression of opinion.

(2) A list of appeals withheld under regulation 38 with the teasons for withholding them shall be forwarded quarterly by the withholding authority to the appellate authority.

(3) An appellate authority may call for any appeal admissible under these regulations, which has been withheld by a subordinate authority, and pass such orders thereon as it thinks fit."

** Provided that in every case in which an appeal is withheld, the appellant shall be informed of the fact, and the reasons for it:

/True copy/

Office Assistant,
Madras Record Office.

mr. 13.8.